

Message Text

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ORIGIN COME-00

INFO OCT-01 ARA-10 ISO-00 EB-07 L-03 CIAE-00 INR-07

NSAE-00 /028 R

DRAFTED BY COM/BIC/OIM/PCLARY, CMM/MEXICO

APPROVED BY EB/OCA/CM/JSIMMONS

COM/BIC/OIM/JTDOYLE, AAD/EM

ARA/MEX/GFALK (INFO)

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R 150123Z NOV 75
FM SECSTATE WASHDC
TO AMEMBASSY MEXICO

UNCLAS STATE 271076

E.O. 11652:N/A

TAGS: ETRD, MX

SUBJECT: HEALTH REGISTRATION REQUIREMENTS FOR DENTAL

--- PRODUCTS

1. OIM HAS RECEIVED AN INQUIRY FROM A U.S; FIRM CONCERNING
SALES OF A REGISTERED DENTAL PRODUCT IN MEXICO.

2. BASICALLY, SITUATION IS AS FOLLOWS: THE U;S. FIRM HAS
SOLD ITS PRODUCT IN MEXICO FOR YEARS THROUGH A NUMBER OF
DISTRIBUTORS. ALTHOUGH TECHNICALLY REQUIRED BY A 1942
LAW TO REGISTER THE PRODUCT WITH THE SECRETARIA DE
SALUBRIDAD Y ASISTENCIA, THIS WAS NEVER DONE BY THE U;S;
FIRM. SHIPMENTS WERE SUSPENDED IN JULY BY THE MEXICANS;
MEXICAN DEALERS FORMED A COMPANY AND GOT THE PRODUCT REGIS-
TERED IN OCTOBER;

3. THE U;S; FIRM'S UNDERSTANDING HAS BEEN THAT THEY ARE
NOW LIMITED BY THE TERMS OF THE REGISTRATION REQUIREMENTS
TO SUPPLY ONLY THE COMPANY FORMED BY THE TWO DEALERS SINCE
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IT HAS REGISTERED THE PRODUCT THE MEXICAN COMPANY WILL

SUPPLY OTHER DEALERS, BUT AT PRICES WHICH REFLECT THE OPERATING EXPENSES OF THE COMPANY, AND ONLY WITH LABELS WHICH INDICATE THE NAME AND ADDRESS OF THE MEXICAN COMPANY AND THE REGISTRATION NUMBER OF THE PRODUCT;

4; OTHER DEALERS HAVE CLAIMED THAT THERE IS NO LEGAL REQUIREMENT FOR THEM TO BUY THROUGH THE MEXICAN COMPANY AND THEY PREFER NOT TO SINCE IT RAISES THEIR COSTS. THEY THINK THEY CAN IMPORT DIRECTLY, SINCE THE PRODUCT NOW HAS BEEN REGISTERED LEGALLY

5. CAN POST DETERMINE WHETHER IN FACT THE REGISTRATION WITH THE SECRETARIA IS SUFFICIENT TO ENABLE ANY PARTY TO IMPORT A PRODUCT, OR WHETHER THE REGISTRATION IS ONLY GOOD FOR THE COMPANY WHICH ACTUALLY REGISTERS THE PRODUCT? EARLY RESPONSE FROM POST WILL BE APPRECIATED; INGERSOLL

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEDICAL EQUIPMENT, EXPORT LICENSES, TRADE CONTROLS
Control Number: n/a
Copy: SINGLE
Draft Date: 15 NOV 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE271076
Document Source: CORE
Document Unique ID: 00
Drafter: BIC/OIM/PCLARY, CMM/MEXICO
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750399-0255
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751141/aaaabjzx.tel
Line Count: 78
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN COME
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: izenbei0
Review Comment: n/a
Review Content Flags:
Review Date: 25 NOV 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <25 NOV 2003 by chicheje>; APPROVED <26 JAN 2004 by izenbei0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HEALTH REGISTRATION REQUIREMENTS FOR DENTAL --- PRODUCTS
TAGS: ETRD, MX
To: MEXICO
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006